

REMARKS

Applicants have carefully reviewed the Application in light of the Office Action transmitted October 10, 2008 ("*Office Action*"). Claims 1-29 are pending in the Application and stand rejected. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

I. Double Patenting

The Examiner provisionally rejected Claims 1, 10, 19, 28, and 29 on the ground of nonstatutory obviousness-type double patenting as unpatentable over Claims 1, 8, 11, 18, 21, 24, 27, and 35 of U.S. Patent No. 7,130,281. Applicants do not necessarily agree with or acquiesce to the Examiner's comments regarding the claims of the present Application and their purported relationship to the claims of U.S. Patent No. 7,130,281. However, to overcome the obviousness-type double patenting rejection, Applicants have enclosed with this Response a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c). Accordingly, Applicants respectfully request reconsideration and withdrawal of the double patenting rejection of these claims.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully request reconsideration and allowance of this Application.

If the Examiner feels prosecution of the present Application may be advanced by a telephone conference, Applicants invite the Examiner to contact the undersigned attorney at (214) 953-6584.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants

A handwritten signature in black ink, appearing to read 'K-M Pankratz', with a long horizontal flourish extending to the right.

Kurt M. Pankratz
Reg. No. 46,977

Date: January 9, 2009

Customer No. **05073**